

Absent—Excused

Nokes

On motion of Senator Bell, and by unanimous consent, the caption was amended to conform to the body of the resolution, as amended.

The resolution, as amended, was passed to third reading.

House Joint Resolution 2 on Third Reading

Senator Bell moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 2 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carter	Moore
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Absent

Carney Weinert

Absent—Excused

Nokes

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Hudson
Ashley	Kelley of Hidalgo
Bell	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Carter	Martin
Colson	McDonald
Corbin	Moffett
Fuller	Moore
Hardeman	Parkhouse
Hazlewood	Phillips

Russell
Shofner
StraussTynan
Vick
Wagonseller

Absent

Carney

Weinert

Absent—Excused

Nokes

Bills Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled bills:

S. B. No. 17, A bill to be entitled "An Act to reorganize the 32nd Judicial District of Texas to be constituted of Nolan and Mitchell Counties and to provide for the terms thereof; and to create the 132nd Judicial District of Texas to be composed of Scurry and Borden Counties and to provide for the terms thereof, etc.; and declaring an emergency."

S. B. No. 42, A bill to be entitled "An Act amending Paragraph 1 of Article 1716, Chapter 12, Title 19, of the Penal Code of the State of Texas, 1925, relating to commercial fertilizer; defining certain terms; and declaring an emergency."

House Bill on First Reading

The following bill, received from the House today, was read first time and referred to the committee indicated:

H. B. No. 105—To Committee on State Highways and Motor Traffic.

Adjournment

On motion of Senator Hardeman, the Senate at 12:45 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, February 19, 1951.

Record of Votes

Senators Corbin and Phillips asked to be recorded as voting "nay" on the motion to adjourn.

TWENTY-SECOND DAY

(Monday, February 19, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by Senator Vick.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Russell	Tynan
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 15, 1951, was dispensed with, and the Journal was approved.

Leaves of Absence

Senator Russell was granted leave of absence for today on account of illness on motion of Senator Nokes.

Senator Tynan was granted leave of absence for today on account of important business on motion of Senator Lane.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
February 19, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 26, Urging the members of the House of Representatives and Senators representing Texas in the Congress of the United States to resist legislation setting up socialized medicine or compulsory health insurance.

H. B. No. 162, Authorizing the sheriff of certain counties to appoint four deputies in the justice precincts.

H. B. No. 109, A bill to be entitled "An Act providing that no pension

or retirement benefit plan or system for employees of any Texas municipality, whether provided for by general or special law, city charter, or city ordinance, shall apply to employees of any Board of Trustees created or appointed in pursuance of Article 1115, Revised Statutes, or any similar law, except with the approval of such Board of Trustees and the making of provisions for the payments out of revenues from the properties or utilities operated by such Board necessary to meet all contributions to be made by the employer under any such plan, and providing that any plan or system heretofore or hereafter adopted by any Board of Trustees shall apply to the employees of the Board independently of any to the exclusion of any plan affecting other employees of the municipality, and declaring an emergency."

H. B. No. 136, A bill to be entitled "An Act to amend Article 1299, Revised Civil Statutes of Texas, 1925, so as to no longer require a married woman to acknowledge a conveyance privily and apart from her husband; to amend Article 1300, Revised Civil Statutes of Texas, 1925, so as to no longer require the separate acknowledgment of a married woman to the conveyance of the homestead; to amend Article 5460, Revised Civil Statutes of Texas, 1925; relative to separate acknowledgments; to repeal Article 6605, Revised Civil Statutes of Texas, 1925; to amend Article 6608, Revised Civil Statutes of Texas, 1925, by prescribing the form of certificate of acknowledgment for a married woman; and declaring an emergency."

H. B. No. 137, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the Counties of Hardeman, Foard and Knox, of Texas, for a period of five (5) years; making it unlawful for any person to have within his possession any wild deer killed or taken in said counties; prescribing a penalty for violation of this Act; providing that all laws in conflict herewith are repealed; and declaring an emergency."

H. B. No. 149, A bill to be entitled "An Act amending Section 16 of House Bill 34, Chapter 325, Acts of the Fiftieth Legislature, Regular Session, 1947, providing a Civil Service System for firemen and policemen in all cities having a population of ten thousand (10,000) or

more inhabitants; providing for suspension and reinstatement of firemen and policemen and the method of procedure in connection therewith; providing certain rules of procedure before the Civil Service Commission; providing for hearings by the Commission; prescribing certain powers of the Commission and providing that the Commission may punish for contempt; and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act creating the County Court at Law of Hidalgo County; making said court a court of record; prescribing its jurisdiction, civil, including matters of eminent domain, criminal and probate, and conforming to such jurisdiction the jurisdiction of the County Court of Hidalgo County and the jurisdiction of the District Court of the 92nd Judicial District, etc.; and declaring an emergency."

H. B. No. 145, A bill to be entitled "An Act amending Section 23 of Acts 1947, 50th Legislature, page 550, Chapter 325, relating to Firemen's and Policemen's Civil Service in cities over 10,000, etc.; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

(President in Chair.)

Senate Resolution 45

Senator Corbin offered the following resolution:

Whereas, Judge John Derryberry, County Judge of Yoakum County, Texas, is present in the Capitol today in connection with the discharge of his official duties, and

Whereas, It is the desire of the Senate of Texas to welcome Judge Derryberry; now, therefore be it

Resolved, by the Senate of Texas, that Judge John Derryberry be welcomed to the Senate and granted the privileges of the floor for the day.

The resolution was read and was adopted.

Report of Legislative Audit Committee

Senator Carney submitted the following report:

Austin, Texas,
February 15, 1951.

To All To Whom These Presents May Come:

This is to certify that the Legislative Audit Committee, under the provisions of Senate Bill No. 27 of the 49th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the two-year term expiring February 15th, 1953.

LEGISLATIVE AUDIT COMMITTEE of the 52nd Legislature;

By: BEN RAMSEY,
Lieutenant Governor;
REUBEN E. SENTERFITT,
Speaker of the House of Representatives;
HOWARD CARNEY,
Chairman, Senate Finance Committee;
JIMMY PHILLIPS,
Chairman, Senate Committee on State Affairs;
W. H. RAMPY,
Chairman, House Appropriations Committee;
JIM T. LINDSEY,
Chairman, House Committee on Revenue and Taxation.

The report was read and was referred to the Committee on Nominations of the Governor.

Senate Bills on First Reading

The following bills were introduced, read severally first time and referred to the committees indicated:

By Senator Colson:

S. B. No. 224, A bill to be entitled "An Act changing the name of San Jacinto River Conservation and Reclamation District to San Jacinto River Authority; making all laws and agreements heretofore or hereafter enacted applicable under new name; providing that whenever such name or reference of name appears in State statutes, or amendments thereto, or in any Acts of any Legislature, or in any court decision, shall mean and apply to the new name; making all grants of State ad valorem taxes, and benefits thereunder, heretofore made, applicable under new name; providing that organization, authority, functions and powers of such governmental agency shall not be affected by this Act; and declaring an emergency."

To Committee on Water Rights, Irrigation and Drainage.

By Senator Colson:

S. B. No. 225, A bill to be entitled

"An Act amending Section 7 of Chapter 426, Acts of the Regular Session of the 45th Legislature, as amended by House Bill No. 828, Chapter 480, Acts of the Regular Session of the 47th Legislature, so as to authorize the investment of bond sinking funds and other surplus or reserve funds in certain bonds and time warrants, or in shares or share accounts of any building and loan association organized under the laws of the State of Texas, or Federal Savings and Loan Associations domiciled in this State, where such share or share accounts are insured under and by virtue of the Federal Savings and Loan Insurance Corporation; providing a saving clause; repealing all other laws in conflict herewith; and declaring an emergency."

To Committee on Banking.

By Senator Bell:

S. B. No. 226, A bill to be entitled "An Act amending Section 2 of House Bill 153, Chapter 62, Acts of the Fifty-first Legislature, Regular Session, 1949 (Art. 2688c, Sec. 2, V. C. S.), so as to provide that the salary of ex-officio county superintendents of public instruction covered thereby shall be determined and paid in the amount and manner provided in Article 3888, Revised Civil Statutes of Texas, 1925, as amended; authorizing the county board of school trustees of the respective counties to appoint an assistant ex officio county superintendent and to provide for his salary and office and traveling expenses for the office of the ex officio county superintendent in the manner, extent and from the same funds as set out in Articles 2701 and 3888, Revised Civil Statutes of Texas, 1925, as amended; providing this Act shall become operative on the first day of the month immediately following its effective date; and declaring an emergency."

To Committee on Educational Affairs.

By Senator Hudson:

S. B. No. 227, A bill to be entitled "An Act amending Title 82 of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new article thereto to be known as Article 5139b providing for county juvenile boards in certain counties; providing for compensation; providing for severability; providing that this Act shall be cumulative; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Hudson:

S. B. No. 228, A bill to be entitled "An Act relating to the construction, acquisition and operation of automotive parking stations by cities and towns of not less than 50,000 population, (herein called "Eligible Cities") and providing for the financing thereof; providing that Eligible Cities may own and operate or own and lease to others for operation, such parking stations; authorizing such cities to issue negotiable revenue bonds to be secured by pledge of net revenues from operation of parking stations and within the discretion of such cities from parking meters and within the discretion of any such cities by a deed of trust on such parking stations with operating franchise to purchaser thereunder; providing that such bonds cannot be issued without opportunity for referendum election but that election may, in the discretion of the governing body, be ordered without a referendum election; authorizing issuance of refunding bonds without election or provision for referendum; requiring approval of bonds by Attorney General in the manner and with the effect provided in Articles 709 to 715, both inclusive, Revised Civil Statutes; creating a lien upon unexpended proceeds of bonds; authorizing banks and trust companies to act as depositories for proceeds of bonds and for revenues from operating or leasing parking stations, and to secure such funds; authorizing recital in bonds of compliance with this Act and prescribing effect thereof; exempting bonds from certain taxes; conferring right of eminent domain; authorizing creation of Boards of Trustees to manage and control such parking stations; validating certain actions and proceedings heretofore taken by Eligible Cities in connection with the construction of such parking stations; containing a severability provision; enacting other provisions relating to this subject; and declaring an emergency."

To Committee on State Affairs.

By Senator Parkhouse:

S. B. No. 229, A bill to be entitled "An Act amending Paragraph P of Section 1, Paragraph E of Section 3 and Paragraph A of Section 4 of House Bill 168, Chapter 352, Acts of the Fiftieth Legislature, 1947, defining "Average Prior Service Compensation"; providing that former employees who return to State service may be eligible for the same retire-

ment benefits as other State employees; providing a method of computing prior service for employees returning to State service; and declaring an emergency."

To Committee on State Affairs.

By Senator Vick:

S. B. No. 230, A bill to be entitled "An Act authorizing the Commissioners Court of any county which has or may hereafter provide for exhibits or the erection of certain buildings or improvements, to enter into contracts for conducting, maintenance, use, operation, management and lease thereof on such terms as may be agreeable to the court, permitting the use thereof for any useful public purpose beneficial to the county and its citizens; authorizing the Commissioners Court to determine and provide for the manner in which the income and revenue derived from the operation thereof shall be used, and declaring an emergency."

To Committee on State Affairs.

By Senator Lock:

S. B. No. 231, A bill to be entitled "An Act to amend Article 1350, as amended, of Title 17, Chapter 3, Penal Code of the State of Texas of 1925; repealing Articles 1344, 1345 and 1346, Penal Code of the State of Texas, and all other laws or parts of laws in conflict herewith to the extent of such conflict only; providing a saving clause; providing a severability clause; and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Kelly of Tarrant:

S. B. No. 232, A bill to be entitled "An Act amending Article 567-b, Penal Code of Texas, being Chapter 17, Acts of 1939, 46th Legislature; making it unlawful to make or draw any check, draft or order upon any bank or upon any person, firm or corporation engaged in the banking business, with intent to defraud, if the person making or drawing such check, draft or order does not at the time said check, draft or order is so made or drawn, and for a period of 15 days thereafter unless said check is sooner presented to drawee for payment, have on deposit with such bank, person, firm or corporation, in the name of such maker or drawer, sufficient funds to pay such check, draft or order; making it a felony to violate this law where check, draft or order

is fifty dollars or more in amount and a misdemeanor where amount of check is less than fifty dollars and providing punishments for different grades of offenses under this Act; providing for the issuance of process and the summoning and remuneration of out of county witnesses in misdemeanor cases just as in felony cases upon order of the court; repealing Section 6 of Chapter 17, Acts of 1939, 46th Legislature; providing saving clauses and declaring an emergency."

To Committee on Criminal Jurisprudence.

By Senator Bullock:

S. B. No. 233, A bill to be entitled "An Act regulating the use of trotlines for taking fish from the waters of Mitchell County; prohibiting the use of trotlines with more than twenty-five (25) hooks; requiring trotlines to be marked with a metal identification tag bearing the owner's name and address; prescribing penalties for violation of this Act; and declaring an emergency."

To Committee on Game and Fish.

Senate Concurrent Resolution 23

Senator Bracewell offered the following resolution:

S. C. R. No. 23, Providing for acceptance of portrait of former Governor James Stephen Hogg.

Whereas, The 24th day of March, 1951, marks the centennial birth date of James Stephen Hogg, one of the stalwart men of Texas who served as Governor of this State with distinction, and whose influence and personality is indelibly inscribed in the history of Texas; and

Whereas, The only living child, Miss Ima Hogg, of Harris County, who has devoted her time and talents unselfishly in the interest of worthwhile projects affecting the social and cultural life of Texas through the Hogg Foundation and other mediums, is desirous of presenting to the State of Texas a portrait of her esteemed father, the illustrious former Governor, James Stephen Hogg, to replace the portrait which now hangs in the rotunda of the State Capitol in Austin; and

Whereas, It is the desire of the Legislature of the State of Texas to accept this generous offer of Miss Ima Hogg; now, therefore, be it

Resolved, By the Senate of the

State of Texas, the House of Representatives concurring, that the State of Texas accept with gratitude the generous offer of Miss Ima Hogg of Harris County to present to the State of Texas a portrait of former Governor James Stephen Hogg to replace the present portrait now hanging in the rotunda of the State Capitol.

The resolution was read.

On motion of Senator Bracewell, Senate Rule 44, to permit immediate consideration, was suspended by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Shofner
Fuller	Strauss
Hardeman	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert
Lane	

Absent

Hazlewood Kelley of Hidalgo

Absent—Excused

Russell Tynan

The resolution was read second time and was adopted.

Senate Bill 3 on Second Reading

Senator Lane moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 3 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Shofner
Fuller	Strauss
Hardeman	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert
Lane	

Absent

Hazlewood Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 3, A bill to be entitled "An Act validating, ratifying, approving and confirming certain proceedings and bonds heretofore had or authorized by cities for the purpose of purchasing a park and recreational facilities and the construction and improvement of parking area and streets adjacent thereto, either or both; providing that this Act shall not apply to any proceedings or bonds the validity of which has been contested in any pending suit or litigation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 3 on Third Reading

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

Senate Joint Resolution 8 on Second Reading

Senator McDonald moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. J. R. No. 8 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Lane	Weinert

Nays—1

Kelly of Tarrant

Absent

Ashley Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 8, Proposing an amend-

ment to Section 48-d of Article III of the Constitution of the State of Texas, authorizing the Legislature to provide for the creation and establishment of rural fire prevention districts so as to provide that the Legislature may authorize an ad valorem tax not to exceed fifty (50c) cents on the One Hundred (\$100) Dollars valuation.

The resolution was read second time.

Senator McDonald offered the following committee amendment to the resolution:

Amend S. J. R. No. 8 by eliminating Section 4 therefrom.

The committee amendment was adopted.

Senator Bracewell offered the following amendment to the resolution:

Amend S. J. R. No. 8 by striking out the words "fourth Saturday in September, 1951" from Section 2 thereof and substituting the words "second Tuesday in November, 1951."

The amendment was adopted.

Senator Kelly of Tarrant offered the following amendment to the resolution:

Amend S. J. R. No. 8, line 25 of the printed bill, by striking out line 25 and inserting in lieu thereof the following: "till approved by vote of the property taxpaying voters of the district."

Senator McDonald moved to table the amendment.

The motion to table was lost.

Question recurring on the amendment, it was lost by the following vote:

Yeas—11

Aikin	Lock
Bracewell	Moffett
Carney	Strauss
Colson	Wagonseller
Hazlewood	Weinert
Kelly of Tarrant	

Nays—17

Ashley	Martin
Bell	McDonald
Bullock	Moore
Carter	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Shofner
Hudson	Vick
Lane	

Absent
Kelley of Hidalgo

Absent—Excused
Russell Tynan

The resolution, as amended, was passed to engrossment.

Senate Joint Resolution 8 on Third Reading

Senator McDonald moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that S. J. R. No. 8 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Hudson
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Bullock	Martin
Carney	McDonald
Carter	Moffett
Colson	Moore
Corbin	Nokes
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Shofner

Strauss Wagonseller
Vick Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

Senate Resolution 46

Senator Hardeman offered the following resolution:

Whereas, Today is the anniversary of the birth of a great statesman and esteemed member of this body; and

Whereas, It is the desire of the Senate to recognize the record of public service of this distinguished gentleman and his years upon this earth; now, therefore be it

Resolved by the Senate that the congratulations and best wishes of the Senate be and the same are hereby extended our friend and colleague, Hon. Kyle Vick of Waco, Texas, on this anniversary of his birth.

HARDEMAN,
AIKIN,
BELL.

Ben Ramsey, Lieutenant Governor.

Ashley	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hazlewood	Shofner
Hudson	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Wagonseller
Lane	Weinert
Lock	

The resolution was read.

On motion of Senator Bell, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted.

Senate Bill 127 on Second Reading

Senator Wagonseller moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 127 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 127, A bill to be entitled "An Act governing the taking of fish and minnows from the public, fresh waters of Wise County; providing means and methods by which fish may be taken from said waters with certain exceptions; providing a penalty for the violation of this Act; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 127 on Third Reading

Senator Wagonseller moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 127 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo

Absent—Excused

Russell Tynan

Senate Bill 24 on Second Reading

Senator Bell moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 24 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Russell Tynan

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 24, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 491, Acts of the Fifty-first Legislature, Regular Session, 1949, so as to more clearly define the boundaries of Road District Number 18, of Jackson County, Texas; validating the election held on October 29, 1949, authorizing the issuance of road bonds of said Road District Number 18; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 24 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Russell Tynan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Bracewell
Ashley	Bullock
Bell	Carney

Carter	McDonald
Colson	Moffett
Corbin	Moore
Fuller	Nokes
Hardeman	Parkhouse
Hazlewood	Phillips
Hudson	Shofner
Kelly of Tarrant	Strauss
Lane	Vick
Lock	Wagonseller
Martin	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Russell Tynan

Senate Bill 124 on Second Reading

Senator Ashley moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 124 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Russell Tynan

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 124, A bill to be entitled "An Act creating Road District No. 3-A of Burnet County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof; etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 124 on Third Reading

Senator Ashley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Hudson	Wagonseller
Kelly of Tarrant	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Russell Tynan

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Bullock
Ashley	Carney
Bell	Carter
Bracewell	Colson

Corbin	Moffett
Fuller	Moore
Hardeman	Nokes
Hazlewood	Parkhouse
Hudson	Phillips
Kelly of Tarrant	Shofner
Lane	Strauss
Lock	Vick
Martin	Wagonseller
McDonald	

Absent

Kelley of Hidalgo Weinert

Absent—Excused

Tynan Russell

House Bills on First Reading

The following bills received from the House today, were read severally first time and referred to the committees indicated:

H. B. No. 109—To Committee on State Affairs.

H. B. No. 136—To Committee on Civil Jurisprudence.

H. B. No. 137—To Committee on Game and Fish.

H. B. No. 145—To Committee on State Affairs.

H. B. No. 149—To Committee on State Affairs.

H. B. No. 161—To Committee on Judicial Districts.

H. B. No. 162—To Committee on State Affairs.

Adjournment

On motion of Senator Lock, the Senate at 11:50 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
Dean H. T. Parlin

Senator Kelly of Tarrant offered the following resolution:

(Senate Concurrent Resolution 22)

Whereas, On February 3, 1951, God in His Infinite Wisdom saw fit to close the esteemed career of the Honorable Dean Emeritus Hanson Tufts Parlin, College of Arts and Science, University of Texas; and

Whereas, Dean H. T. Parlin was a native of Colorado and received two degrees from the University of Colorado before going to the University of Pennsylvania where he received his Doctorate on a Harrison Fellowship; and

Whereas, In the Fall of 1908 this aristocrat of learning came to the University of Texas and in the year 1928 assumed the Deanship where he served for 21 years—a record span of time; and

Whereas, Dean Parlin will long be remembered for his Plan II (Liberal Arts) Program for a Bachelor of Arts Degree, perhaps his most notable academic achievement; and

Whereas, His years of service and kindly guidance of Arts and Science students brought him strong friendship, love, respect and admiration from members of the faculty and students alike; and

Whereas, Honorable Dean Parlin was the Chapter Advisor of his own social fraternity, Delta Tau Delta, at the University of Texas; and

Whereas, In his honor there has been created a Dean H. T. Parlin Memorial Fund for the purpose of establishing a Scholarship in his name; or, furnishing a browsing room in the University of Texas Student Union Building; and

Whereas, His passing is received with profound regret and heartfelt sympathy by the State of Texas, the University Community, his Delta Tau Delta brothers and all who knew him; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the 52nd Legislature pay honor and tribute to the memory of Dean H. T. Parlin and point with pride to this educator and leader of young people; and be it further

Resolved, That copies of this resolution be sent to his brother, the only surviving member of his family, the Delta Tau Delta Fraternity and to the President of the University of Texas.

KELLY of Tarrant

The resolution was read and was adopted.

In Memory of
E. P. Simmons

Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 24)

Whereas, An All-Wise Providence has seen fit to close the illustrious career of Mr. Edward Peyno Simmons, President of Sanger Bros. department store of Dallas, Dallas County, Texas, by calling him to his Heavenly reward on Sunday, February 18, 1951, in the 58th year of his life; and

Whereas, Mr. Edward Peyno Simmons was born in Bardstown, Kentucky, having spent his boyhood on a farm. When he was 10 years of age, his family moved to Louisville so that he and the other children might have the benefits of an urban education; and

Whereas, In the death of Edward Peyno Simmons, Texas witnessed the passing of one whose footsteps marked service in mercantile and civic enterprises, religious councils; being a devout member of the Catholic Church; and

Whereas, He became President of Sanger Bros. in 1926 and continued to build it up slowly over the years, and, at his death, the store was at the peak of its long history; and

Whereas, In 1949, the Linz Award was given him, the nominating committee writing it has simply not been able to think of any important civic enterprise within the past quarter-century for which Mr. Simmons had not worked; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that we extend to the members of the esteemed family of this illustrious Texan our deep sense of loss and sincere sympathy in his passing; that we recognize his services; that an enrolled copy of this resolution be furnished his family; and that when the Senate adjourns today it do so in tribute to the memory of Mr. Edward Peyno Simmons.

PARKHOUSE

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of Ephraim Silas Fentress

Senator Vick offered the following resolution:

(Senate Resolution 44)

Whereas, On the Fourteenth Day of February in the year of our Lord, Nineteen Hundred and Fifty-one, God, in His infinite wisdom, did call from his earthly labours our honoured leader, Ephraim Silas Fentress; and

Whereas, Our friend and public servant has moved to higher rewards, and his name has been entered in the Book with those who loved and served their Country, State and Fellow Man; and

Whereas, Ephraim Silas Fentress leaves behind him a record so highly praised that it is but fitting for us to point out some of the incidents of that career; and

Whereas, He was born in a farm house near Parsons, Kansas, on the Eighth Day of April in the year Eighteen Hundred and Seventy-six. He began his long and successful fifty-five year career in newspaper work with his brother, C. H. Fentress, in Norwalk, Ohio, when he was twenty years of age. He was engaged in Texas newspaper publishing for slightly over thirty-four years. He and his associate, Charles E. Marsh, on the twenty-seventh day of January, Nineteen Hundred and Seventeen, bought the old Waco Morning News and began publishing it, later adding the Waco Tribune, and in Nineteen Hundred and Twenty-seven, the afternoon Times-Herald; and

Whereas, Immediately following, they acquired a newspaper in Beaumont, but soon sold it and bought the Port Arthur News, which to this day remains a unit of the Fentress group. They also acquired the Austin American to which later, in Nineteen Hundred and Twenty-four was added the Austin Statesman. They became the holder of the largest state group of newspapers at that period, by acquiring an interest in Corpus Christi, and by the purchase of newspapers in Wichita Falls, Harlingen, Brownsville, Laredo, and six small West Texas papers, and starting a newspaper in Texarkana.

In the early Nineteen Thirties they disposed of the various papers except the two dailies in Waco, the two dailies in Austin and the daily in Port Arthur, which have continued under the Fentress operation; and

Whereas, Through his newspapers he exerted his aggressive community leadership. Never once did he abuse this power, but used it in such a way so as to promote countless economic, civic and business developments for Waco, which remained his home from the time he came to Texas, and for other communities over the State to which his newspaper empire extended.

One of his first achievements in Waco, when he was shocked with the early one-crop cotton economy of the area, was to set up a dairy cow loan program to put milk cows on the farm. After that, he helped bring a big milk plant to Waco. He then began to lay the foundations for Waco's long-range developments of industrial and agricultural diversification.

When he learned cotton farmers over the State were being victimized under the old system of cotton buying, he sponsored a fund-raising campaign to bring in college-trained cotton classifiers to assure the farmers the proper grading of their product.

He was a leader in area-wide programs to secure improved highways and roads; and gave strong support to educational and civic improvements of his city; and

Whereas, The contributions of Ephraim Silas Fentress to both community and State shall ever keep his memory with us, and the influence of his great and wonderful life will ever be a worthy example for emulation; now, therefore, be it

Resolved, By the Senate of the State of Texas, that we do here and now pay tribute to the memory of this good and righteous Christian gentleman and point with pride to his many achievements, and that we extend our sincere sympathy to his widow, his son, Harlon M. Fentress, and his daughter, Mrs. Ralph R. Brown of Corsicana, and other members of the family in this hour of bereavement; that a copy of this resolution be spread upon the Journal of the Senate; that copies be sent to surviving members of the family; and that when the Senate stands adjourned today, it do so in respect to the memory of this great and noble citizen of the State of Texas, Ephraim Silas Fentress.

VICK
ASHLEY

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Bell, Bracewell, Bullock, Carney, Carter, Colson, Corbin, Fuller, Hardeman, Hazlewood, Hudson, Kelley of Hidalgo, Kelly of Tarrant, Lane, Lock, Martin, McDonald, Moffett, Moore, Nokes, Parkhouse, Phillips, Russell, Shofner, Strauss, Tynan, Wagonseller, Weinert.

The resolution was read.

On motion of Senator Ashley, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.